

REMARKS:

Applicant notes that this response uses the new revised format for amendments set forth at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/revamdtprac.htm>.

Withdrawal of Previous Arguments

Applicant hereby withdraws all previous arguments made in this case as moot. In view of the Office Action, these arguments have not persuaded the Examiner and are therefore immaterial to the disposition of the case.

Information Disclosure Statement

The Office Action indicated that Applicant's listing of references in the specification is not a proper information disclosure statement. Applicant surmises that the Office Action is referring to the list of 26 references at the end of the Technical Appendix to the application. Applicant did not and does not intend this list of references to be an information disclosure statement.

Specification

The Office Action objected to the abstract of the disclosure for being over 150 words. Applicant has amended the abstract to be less than 150 words. Accordingly, withdrawal of this objection is respectfully requested.

Claims Objection

Claim 8 was object to for an informality. This text involved in this informality has been deleted. Withdrawal is therefore requested of the objection to claim 8.

Claim Rejections Under § 112

Claims 8 to 11 were rejected under 35 U.S.C. § 112, ¶ 2, for alleged indefiniteness based on use of the term “large.” This term has been deleted from the claims. Accordingly, withdrawal of the § 112 rejection is respectfully requested.

Claim Rejections Under §§ 102 and 103

Claims 1 to 7: Claims 1, 2, 4 and 6 were rejected under 35 U.S.C. § 102(e) over U.S. Patent No. 6,327,677 (Garg). Claims 3 was rejected under 35 U.S.C. § 103(a) over Garg in view of U.S. Patent No. 5,920,719 (Sutton). Claims 5 and 7 were rejected under § 103(a) over Garg. The independent one of these claims, namely claim 1, has been amended.

Claim 1 as amended is reproduced below for the Examiner’s convenience:

1. A method, including steps of  
repeatedly reviewing monitoring statistics regarding operation of a  
file server, said steps of reviewing being performed at least as often as a  
selected time period; and  
processing said monitoring statistics using a diagnostic software  
module, in response to said steps of repeatedly reviewing;  
wherein said diagnostic software module diagnoses a behavior of  
said file server by comparing said monitoring statistics to rules or patterns  
representing abnormal states of operation for said file server.

The applied art, namely Garg, is not seen by Applicant to disclose or to suggest the foregoing features of claim 1, at least with respect to use of a diagnostic software module that diagnoses a behavior of a file server by comparing monitoring statistics to rules or patterns representing abnormal states of operation for the file server.

In more detail, Garg “analyzes operation and performance [of a network device] by comparing ... current data collected from the network (i.e., the data representing the current performance or operation of the network environment) with ... cognitive signatures ( i.e., the historical data regarding performance or operation of the network environment).” Garg, col. 6, lines 58 to 62. In Garg, “[a] cognitive signatures represents the normal operating mode for a particular network device, network interface, system, application, or communication link with which the cognitive signature is associated.” Garg, col. 5, lines 32 to 35.

A “normal operating mode” is the opposite of an “abnormal state.” Applicant therefore submits that Garg’s signature, which represents “the normal operating mode,” is entirely different from claim 1’s rules or patterns that represent abnormal states of operation. Accordingly, Garg is not seen to disclose or to suggest use of a diagnostic software module that diagnoses a behavior of a file server by comparing monitoring statistics to such rules or patterns, as recited by claim 1.

Sutton, which was applied against claim 3, is not seen by Applicant to add anything to remedy the foregoing deficiencies of Garg.

In view of the foregoing, reconsideration and withdrawal are respectfully requested of the rejections of claim 1 and its dependent claims, namely claims 2 to 7.

Furthermore, allowance of claims 1 to 7 is requested.

Claims 8 to 11: These claims were rejected under § 103(a) over U.S. Patent No. 5,193,151 (Jain). Claim 8 has been amended.

Claim 8 as amended is reproduced below for the Examiner's convenience:

8. A method, including steps of  
selecting a set of parameters for a first communication protocol;  
attempting to communicate, between a point inside a file server  
and a point outside said file server, using a second communication  
protocol, said second communication protocol making use of said first  
communication protocol;  
using the second communication protocol to measure a result of  
said steps of attempting to communicate; and  
altering said set of parameters, in response to said result.

Jain is not seen by Applicant to disclose or to suggest the foregoing features of claim 8, at least with respect to claim 8's step of "using the second communication protocol to measure a result of said steps of attempting to communicate."

While Jain does disclose reviewing round-trip delay, Applicant does not see any mention in Jain of using a second communication protocol to measure such delay. Thus, even if measuring round-trip delay is interpreted as being equivalent to the claimed measurement of a result of steps of attempting to communicate, Jain still would not be seen by Applicant to teach claims 8's step of "using the second communication protocol to measure a result of said steps of attempting to communicate." Accordingly, reconsideration and withdrawal are respectfully

requested of the rejection of claim 8 and its dependent claims, namely claims 9 to 11.

Furthermore, allowance of claims 8 to 11 is requested.

Claim 12: This claim was rejected under § 103(a) over U.S. Patent No. 5,787,409 (Seiffert). Applicant has cancelled claim 12 without prejudice or disclaimer of subject matter, rendering this rejection moot.

Claims 13 to 15: These claims were rejected under § 102(e) over U.S. Patent No. 6,415,372 (Zakai). Claim 13 has been amended.

Claim 13 as amended is reproduced below for the Examiner's convenience:

13. (Currently Amended) A method, including steps of tracking configuration changes to a file server; identifying changes in monitoring statistics for said file server that indicate an error or other failure in said file server; relating said changes in said monitoring statistics to timing of said configuration changes; and determining, in response to said steps of tracking and of relating, a configuration change most likely to be responsible for said error or other failure in said file server.

Zakai is not seen by Applicant to disclose or to suggest the foregoing features of claim 13, at least with respect to steps of identifying changes in monitoring statistics for a file server that indicate an error or other failure in the file server, relating such changes to timing of tracked configuration changes, and determining a configuration change most likely to be responsible for the error or other failure in the file server.

In more detail, Zakai appears to Applicant to be concerned with balancing workloads, not handling errors or other failures in a file server. Applicant sees no mention in Zakai of identifying changes in monitoring statistics for the file server that indicate an error or

other failure in the file server, as recited by claim 13.

Applicant submits that without identifying such changes, Zakai cannot perform claim 13's steps of relating those changes to the timing of configuration changes and of determining a configuration change most likely to be responsible for the error or other failure in the file server indicated by those changes.

Zakai does disclose performing a first ordered sequence of reconfigurations of physical volumes of a storage subsystem and performing a portion of the reconfigurations in a second ordered sequence in response to receiving a rollback request. The order of the second sequence in Zakai is reversed with respect to the order of the first sequence. See col. 1, lines 44 to 51.

Zakai's rollback "is initiated when [a] service processor ... receives a request for a rollback from a user or a program. Zakai, col. 9, lines 38 to 40. However, Zakai does not appear to Applicant to provide any more detail about what triggers a rollback. In particular, Applicant sees no mention of triggering the rollback in response to a file server error or other failure.

In view of the foregoing, reconsideration and withdrawal are respectfully requested of the rejections of claim 13 and its dependent claims, namely claims 14 and 15. Furthermore, allowance of these claims is requested.

#### New Claims

New claims 16 to 29 recite file servers that perform the methods of claims 1 to 11 and 13 to 15. New claims 30 to 43 recite memories that store instructions for performing those

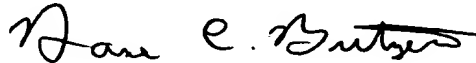
methods. Accordingly, new claims 16 to 43 are believed to be allowable, and such action is respectfully requested.

Closing

In view of the foregoing amendments and remarks, the entire application is believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicant's undersigned attorney can be reached at (614) 486-3585. All correspondence should continue to be directed to the address indicated below.

Respectfully submitted,



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